

Appln. No. 09/639,001  
Amendment dated March 9, 2005  
Reply to Office Action of December 16, 2004

#### REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The December 16, 2004 Final Office Action and the Examiner's comments have been carefully considered. In response, claims are amended, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

Inasmuch as the present Amendment raises no new issues for consideration, and, in any event, places the present application in condition for allowance or in better condition for consideration on appeal, its entry under the provisions of 37 CFR 1.116 is respectfully requested.

#### REJECTIONS UNDER 35 USC 102

In the Office Action claims 12, 13, 15, 17 and 18 are rejected under 35 USC 102(e) as being anticipated by USP 6,020,982 (Yamaguchi et al.).

In the present claimed invention as defined by amended claim 12, the eyepiece window of the finder unit is located on a left side and above the image display screen of the image display device on a rear portion of the outer surface of the housing.

Appln. No. 09/639,001  
Amendment dated March 9, 2005  
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The end portion of the housing, which is located on the right side of the image display screen on the rear portion of the outer surface of the housing, is configured to be held by the right hand of the user.

The above arrangement of the eyepiece window and the right hand holding portion on the outer surface of the housing prevents the user's right hand, which is holding the right hand holding portion, from coming into contact with the user's face when the user looks through the eyepiece window with his left eye while holding the right hand holding portion with his right hand.

As the outer dimensions of cameras get smaller, and as the rear surface area of the outer surface of the housing gets smaller, the more important the limitations set forth in claim 12 become.

USP 6,020,982 (Yamaguchi et al.) do not disclose, teach or suggest the arrangement of the eyepiece window and the right hand holding portion with respect to the image display screen on the rear surface portion of the outer surface of the housing of the camera as recited in amended claim 12.

Fig. 3 of Yamaguchi et al. discloses a right hand holding portion located in the end portion on the right side of the image display screen on a rear surface area of an outer surface of a housing of a camera. With the arrangement of the right hand

Appln. No. 09/639,001  
Amendment dated March 9, 2005  
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holding portion and the eyepiece window with respect to the image display screen on the rear surface area of the outer surface of the housing of the camera as taught in Yamaguchi et al., the looking-through operation becomes inconvenient for the user. In Yamaguchi et al., the user's right hand, which holds the right hand holding portion, comes into contact with the user's face when the user's left eye is brought close to the eyepiece window.

The present claimed invention as defined by claim 12 does not suffer from the drawbacks of the device taught in Yamaguchi et al. As recited in claim 12, the eyepiece window of the electronic image pickup apparatus is disposed on a rear surface area, in which an image display screen of the image display device is exposed, on the outer surface of the housing. The eyepiece window is located on a left side and above the image display screen of the image display device on the rear surface area. (See claim 12, lines 8-13). Yamaguchi et al. do not disclose, teach or suggest such an arrangement.

In view of the foregoing, claim 12 is patentable over Yamaguchi et al. under 35 USC 102 as well as 35 USC 103.

Claims 13, 15 and 17 are dependent on claim 12 and are patentable over the cited reference in view of their dependence on claim 12 and because the reference does not disclose, teach or

Appln. No. 09/639,001  
Amendment dated March 9, 2005  
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suggest each of the limitations set forth in claims 13, 15 and 17.

CLAIM OBJECTIONS

In the Office Action the Examiner states that if claim 17 is found to be allowable, claim 18 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof.

In response, claim 18 is cancelled since the previous amendment of claim 18 appears to render claim 18 duplicative of claim 17.

\* \* \* \* \*

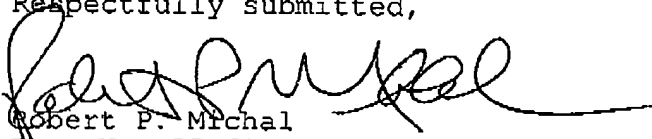
Entry of this Amendment under the provisions of 37 CFR 1.116, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Appln. No. 09/639,001  
Amendment dated March 9, 2005  
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If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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